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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,340	03/23/2004	Yusaku Katsube	62807-178	2199

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EXAMINER

NATNAEL, PAULO S M

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/806,340	<b>Applicant(s)</b> KATSUBE ET AL.	
	<b>Examiner</b> Paulos M. Natnael	<b>Art Unit</b> 2622	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,5 and 7 is/are allowed.
- 6) ☒ Claim(s) 1,6,8,11 and 12 is/are rejected.
- 7) ☒ Claim(s) 2,3,9 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/23/04</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 6, the claimed "...said TV broadcasting receiver to an again movement device..." is not clear what is meant by the "an again movement device", rendering claim indefinite.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 8, 11 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamaguchi et al., U.S. Patent Application Publication # 2004/0237122.

Considering claims 1, 8, 11, Yamaguchi et al. (hereinafter, "Yamaguchi") discloses method and apparatus for processing a data series including processing priority data. Yamaguchi discloses a system (Fig.1) which comprises a reception control section, transmitting section, picture synthesis section. *A reception control section 11 for receiving the information including data and its transmission format information from a memory or communication channel...*(see Abstract) Yamaguchi teaches that in FIG. 1, a reception control section 11 for receiving information and a transmitting section 13 for transmitting information are information transmitting means such as a coaxial cable, CATV, LAN, and modem. Communication environment can be the environment in which a plurality of logical transmission lines can be used without considering multiplexing means such as internet or the environment in which multiplexing means must be considered such as analog telephone or satellite broadcast. [see paragraph 0170] Yamaguchi teaches that the present invention has the [fig.1] structure to obtain the execution frequency of indispensable processing and that of dispensable processing, transmit the execution frequencies to the receiving side....[paragraph 0076] Fig.42 discloses a transmission flowchart where the system decides an execution frequency (step 1003) to transmit to the receiving side where the receiver utilizes the frequency. Yamaguchi also discloses the system utilizes a storage device (Fig.10b) to store the data within.

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Considering claim 12, Yamaguchi discloses .. Moreover, a system for bi directionally transferring video and audio between terminals such as a picture telephone or teleconference system or a system for broadcasting broadcast-type video and audio through satellite broadcast, CATV, or internet are listed as terminal connection systems.

[see 0171]

***Allowable Subject Matter***

5. Claims 4,5, and 7 are allowed.

6. Claims 2,3, 9-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose a communication terminal device comprising: TV broadcasting receiver for receiving TV broadcasting; display unit for displaying a video image the received broadcasting; communication making communications; and storage unit for storing information, therein said communication unit acquires broadcasting frequency corresponding to a broadcasting area adjacent a TV broadcasting area which includes a current position of device, said storage unit stores the TV broadcasting frequency corresponding to the adjacent TV broadcasting area, and said TV broadcasting receiver responsive to a movement of said communication terminal device into said adjacent TV broadcasting area for receiving the TV broadcasting at the TV

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broadcasting frequency corresponding said adjacent TV broadcasting area, said TV

broadcasting frequency being stored in said storage unit, as in claim 4;

### ***Conclusion***

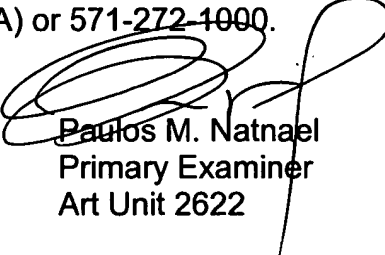
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kim et al., U.S. Patent Application Publication # 2003/0109216 discloses a method and apparatus for terminating a broadcast service in a mobile communication system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 9am - 5:30pm M,W, F (7am-3:30pm T,Th).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Paulos M. Natnael  
Primary Examiner  
Art Unit 2622

PMN  
July 24, 2006